

**Zoning Board of Appeals Minutes  
September 22, 2020**

<b>ZBA MEMBERS</b>	<b>ZBA MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>
Jim Racheff- Chair Lawrence Aronow Shuan Butcher Steve West Bob Sisson-Alternate Member	Kenneth Ying	Gabrielle Collard, Division Manager of Current Planning Carreanne Eyler, Office Manager Joe Adkins, Director of Planning & Community Development Stephen Davis, Assistant City Attorney Jessica Murphy, Administrative Assistant

**I. ANNOUNCEMENTS: None**

**II. GENERAL PUBLIC COMMENT: None**

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**III. APPROVAL OF MINUTES:**

Approval of the **August 25, 2020** Zoning Board of Appeals Meeting Minutes as published:

**MOTION:** Mr. Butcher moved for approval of the **August 25, 2020** hearing minutes.

**SECOND:** Mr. Sisson

**VOTE:** 4-0

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**IV. PUBLIC HEARING-SWEARING IN:**

*“Do you solemnly swear or affirm that the responses given, and statements made in this hearing before the Zoning Board of Appeals will be the whole truth and nothing but the truth.” If so, answer “I do”.*

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**V. CONTINUANCES:**

**A. ZBA20-633CU, Conditional Use, 107 S. East Street**

**MOTION:** Mr. Butcher moved for approval of a continuance to the December 22, 2020 Zoning Board of Appeals meeting.

**SECOND:** Mr. Sisson

**VOTE:** 4-0

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**B. ZBA20-611CU, Conditional Use, 1800 Weybridge Road**

**MOTION:** Mr. Sisson moved for approval of a 30-day continuance to the October 27, 2020 Zoning Board of Appeals meeting.

**SECOND:** Mr. West  
**VOTE:** 4-0

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**VI. OLD BUSINESS: None**

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**VII. NEW BUSINESS:**

**C. ZBA20-668CU, Conditional Use, 5819 Butterfly Lane**

**MOTION:** Mr. West moved for approval of the conditional use request for a Nursing Home/Domiciliary Care/Adult Living Facility at 5819 Butterfly Lane finding that:

1. The proposed use provides alternative living options for the elderly and is deemed a conditional use in the R6 zoning district as such, is in harmony with both the City's Comprehensive Plan and Land Management Code, respectively.
2. Based on the information provided by the Applicant, there will be no increase in traffic to the site beyond that typically associated with a residential dwelling unit and as such, the proposed use will not generate any greater impact on the surrounding community than that which would be normally associated with a permitted use not requiring conditional use approval.
3. The Applicant proposes no expansions or architectural modifications to the exterior of the existing home and has testified that there will be no increase in traffic or noise, which will adversely affect the character of the community.
4. The Applicant will obtain all required State approvals and licenses for the assisted living use.
5. The Property is surrounded by other residential uses and is located within a residential setting and as such, the residents of the facility will be equally as protected from noise, traffic, and air pollution as the surrounding residential uses.
6. The Applicant has demonstrated that the minimum lot area that must be provided per the Code (2,500 sq. ft.) will be met with full adequacy based on the total square footage of the Property (19,166 sq. ft.) provided versus the number of beds being provided on suite (a maximum of five beds).

**With the conditions that:**

1. Any visitor or service vehicle to the site shall be required to park onsite.
2. Prior to issuance of a zoning certificate, the Applicant provides the City with documentation of the State approvals and licenses for the use.
3. In accordance with Section 312(g) of the LMC, *Zoning Board of Appeals Decisions*, a development approval by the Board expires two years after the date of approval unless the use is established or a zoning certificate is issued and construction has begun in accordance with the terms of the decision.

**SECOND:** Mr. Sisson  
**VOTE:** 4-0

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**VIII. BOARD BUSINESS:**

Mr. Racheff and the Planning Staff thanked Mr. Butcher for his service on the Zoning Board of Appeals as this is his last meeting.

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**IX. ITEMS ADDED TO AGENDA**

**Zoning Determinations Completed:**

- ZBA20-674ZD, Dublin Roasters
  - ZBA20-675ZD, Sycamore Ridge
  - ZBA20-696ZD, 1200 Taney Avenue
  - ZBA20-726ZD, 1724 N. Market Street
  - ZBA20-743ZD, 423A, B & ½ E. Patrick Street
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**X. ADJOURNMENT**

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**Meeting adjourned approximately at 8:50 p.m.**

Respectfully Submitted,  
Jessica Murphy  
Administrative Assistant